

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

RENEE M. HAWKINS, individually and)
on behalf of others similarly situated,)
Plaintiff,)
v.) 2:11-cv-283-JMS-WGH
ALORICA, INCORPORATED,)
Defendant.)

**ORDER ON PLAINTIFF'S
SECOND MOTION TO COMPEL DISCOVERY**

This matter is before the Honorable William G. Hussmann, Jr., United States Magistrate Judge, on Plaintiff's Second Motion to Compel Discovery filed on March 28, 2013. (Docket Nos. 283-84). Defendant filed its Opposition to Plaintiffs' Motion to Compel Discovery on April 15, 2013. (Docket No. 289). Plaintiff's Reply was filed on April 25, 2013. (Docket No. 291).

The Magistrate Judge, being duly advised, now **GRANTS, in part**, and **DENIES, in part**, the motion, as follows:

1. Defendant shall comply with Plaintiff's Request for Production Nos. 1 and 2 by producing documents that explain its timekeeping system and how work is converted to compensation. The Magistrate Judge concludes that these documents are trade secrets and, therefore, will be produced pursuant to the terms of the protective order which was attached as Exhibit A as a proposed

Joint Motion to Amend the Protective Order. (Docket No. 289). The court adopts that proposed order as a part of this Order. The production of those materials will be made within twenty-one (21) days of the date of this Order.

2. With respect to Plaintiff's Request for Production No. 3, the Motion is denied for the reasons specified in Defendant's Opposition.

3. The Motion to Compel is denied with respect to Plaintiff's Request for Production Nos. 4 and 5.

4. The Motion to Compel with respect to Plaintiff's Request for Production Nos. 6 and 7 is granted. Defendant shall provide the "Excel spreadsheet," and shall make available to Plaintiff the data underlying the spreadsheet within twenty-one (21) days of the date of this Order. The data underlying the spreadsheet will be made available in the precise format used to compile the spreadsheet.

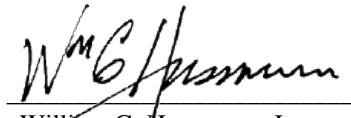
5. The Motion to Compel is denied with respect to Plaintiff's Request for Production Nos. 8 through 11 for the reasons specified in Defendant's Opposition. However, with respect to Request No. 9, Defendant may not seek admission at trial of any exhibit which has not been produced as a part of supplementation of this answer at the close of discovery.

6. To the extent the Plaintiff has complained that the CD which produced certain information is password protected, that objection is overruled because the password is a means of protecting sensitive information, and Plaintiff's counsel has been provided with the password.

7. Because this motion has been granted, in part, and denied, in part, the court will not assess attorney's fees to either side at this time. To the extent the matter is litigated, the appropriate awarding of attorney's fees for this motion will be taken up at that time.

SO ORDERED.

Dated: May 22, 2013



William G. Hussmann, Jr.
United States Magistrate Judge
Southern District of Indiana

Served electronically on all ECF-registered counsel of record.